

FILED  
4/4/22 11:34 am  
CLERK  
U.S. BANKRUPTCY  
COURT - WDPA

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE  
WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:

JOSHUA S. GREAVES,

Debtor

Case 21-20621-GLT  
Chapter 13

Related to Dkt. No. 60

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JOSHUA S. GREAVES,

Movant

v.

RONDA J. WINNECOUR, Chapter 13 Trustee,  
U.S. Trustee's Office, Capital One Auto Finance,  
PHFA, M&T Bank, PWSA, Best Buy,  
Capital One Bank, Duquesne Light, Navient,  
PNC Bank, City and School District of Pittsburgh,  
Portfolio Recovery, LVNV Funding LLC,  
Capital One Bank, Duquesne Light, PNC Bank,  
Navient, Peoples Gas Company LLC, AIS Portfolio,

Respondents

**ORDER CONFIRMING CHAPTER 13 SALE OF PROPERTY  
FREE AND DIVESTED OF LIENS**

AND NOW this 4th day of April 2022, upon  
consideration of the Debtor's Motion for Sale of Real Estate Free and Clear of Liens to William  
Higgins III and Tammy S. Lee in the amount of \$215,000.00, upon proper Notice and Hearing,  
this Court finds:

1. That service of the Motion and Notice of Hearing for private sale of real  
property was effected the following whose liens are recited in said  
Motion:
  - A. M&T Bank, P.O. Box 1508, Buffalo, NY 14240.
  - B. Pennsylvania Housing Finance Agency, 211 North Front Street,  
Harrisburg, PA 17101.
  - C. Pittsburgh Water and Sewer Authority (c/o GRB Law), 437 Grant  
Street, 14<sup>th</sup> Floor, Pittsburgh, PA 15219.

2. That sufficient general notice of said hearing and sale, together with the confirmation hearing thereon, was given to the creditors and parties in interest by the Moving party as shown by the Certificate of Service duly filed and that the named parties were duly served with the Motion.
3. That said Notice of sale hearing was duly advertised on the Court's website pursuant to W.P.A LBR 6004-1(c)(2) on 3/4/2022. Further advertisement was not necessary pursuant to LBR 6004-2(a), and per the Stipulation of Debtor and the Chapter 13 Trustee.
4. That the highest/best offer received was that of the above purchasers and no objections to the sale were made that would result in cancellation of said sale.
5. That the price of \$215,000.00 by Buyers is a full and fair price for the property in question.
6. That the Buyers have acted in good faith with respect to the within sale in accordance with *In re Abbotts Dairies of Pennsylvania, Inc.*, 788 F.2d 143 (3d. Cir. 1986).

Now therefore it is hereby ORDERED, ADJUDGED, AND DECREED that the sale of the real property described as 921 Fordham Avenue, Pittsburgh, Allegheny County, 15226 is CONFIRMED to William Higgins III and Tammy S. Lee for \$215,000.00, free and divested of the above recited liens and claims, and that the Movants are authorized to make, execute, and deliver to the Buyers above named the necessary Deed and/or other documents required to transfer title to the property purchased upon compliance with the terms of the sale;

It is further ORDERED, that the above recited liens and claims, be, and hereby are, transferred to the proceeds of the sale, if and to the extent they may be determined to be valid liens against the sold property, that the within decreed sale shall be free, clear, and divested of said liens and claims;

If is further ORDERED, that the following expenses/costs shall immediately be paid at the time of closing. ***Failure of the closing agent to timely make and forward the disbursements required by this Order will subject the closing agent to monetary sanctions,*** including, among other things, a fine or the imposition of damages, after notice and a hearing, for

failure to comply with the above terms of this Order. Except as to the distribution specifically authorized herein, all remaining funds shall be held by Counsel for Movant pending further Order of this Court after notice and a hearing:

1. Delinquent real estate taxes and municipal fees, if any;
2. Current real estate taxes, pro-rated to the date of closing;
3. The payoff balances of all mortgages and lienholders on the subject property.
4. Normal closing costs including title search, legal fees, revenue stamps, and any other normal and necessary closing costs;
5. The Court-approved realtor commission of 6.00% of the sales price.
6. Court approved attorneys fees in the amount of \$2,632.50 to *Christian M. Rieger, Esq., 2403 Sidney Street Suite 214, Pittsburgh, PA 15203.*
7. The Court filing fee of \$188.00 payable to *Christian M. Rieger, Esq., 2403 Sidney Street, Suite 214, Pittsburgh, PA 15203.*
8. Chapter 13 Trustee “percentage fees” in the amount of \$ TBD payable to Ronda J. Winnecour, Chapter 13 Trustee, P.O. Box 2587, Pittsburgh, PA 15230.
9. The Debtor's exemption in the amount of \$25,150.00 payable to *Joshua S. Greaves.*
10. The “net proceeds” from the closing as identified on the settlement statement to the Chapter 13 Trustee payable to: *Ronda J. Winnecour, Chapter 13 Trustee*, and mailed to *P.O. Box 84051, Chicago, IL 60689-4002*, along with a copy of this Order, and which net proceeds, after a deduction of Trustee fees, shall be first used to pay timely filed unsecured creditors, (priority and non-priority) in full, 100%, then used for general Plan funding as necessary to complete the case, with any surplus refunded to the Debtor.
11. Other: N/A

It is FURTHER ORDERED that:

- A. ***Within seven (7) days of the date of this Order***, the Movant shall serve a copy of this Order on each Respondent/Defendant (i.e., each party against whom relief is sought) and its attorney of record, if any, upon any attorney or party who answered the motion or appeared at the hearing, the attorney of the Debtor, the closing agent, the Purchasers, and the attorney for the Purchasers, if any, and file a Certificate of Service.
- B. Closing shall occur within forty-five (45) days of this Order.
- C. ***Within seven days following closing***, Movant/Plaintiff shall file a Report of Sale, which shall include a copy of the HUD-1 or other Settlement Statement, and;
- D. This Sale Confirmation Order shall survive any dismissal or conversion of the within case.



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The Hon. Gregory L. Taddonicjah  
United States Bankruptcy Judge

In re:  
Joshua S. Greaves  
Debtor

Case No. 21-20621-GLT  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-2  
Date Rcvd: Apr 04, 2022

User: auto  
Form ID: pdf900

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 06, 2022:

Recip ID	Recipient Name and Address
db	+ Joshua S. Greaves, 921 Fordham Avenue, Pittsburgh, PA 15226-2123

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 06, 2022

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 4, 2022 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor M&T Bank bnicholas@kmlawgroup.com
Christian M Rieger	on behalf of Debtor Joshua S. Greaves crierlaw@gmail.com
Jeffrey R. Hunt	on behalf of Creditor Pittsburgh Water & Sewer Authority jhunt@grblaw.com
Jeffrey R. Hunt	on behalf of Creditor City and School District of Pittsburgh jhunt@grblaw.com
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com
Laurence A. Mester	on behalf of Creditor Capital One Auto Finance a division of Capital One, N.A. lmester@mesterschwartz.com, jschwartz@mesterschwartz.com

District/off: 0315-2

User: auto

Page 2 of 2

Date Rcvd: Apr 04, 2022

Form ID: pdf900

Total Noticed: 1

Leon P. Haller

on behalf of Creditor Pennsylvania Housing Finance Agency lhaller@pkh.com  
dmaurer@pkh.com;lrynard@pkh.com;mgutshall@pkh.com

Leon P. Haller

on behalf of Creditor Pennsylvania Housing Finance lhaller@pkh.com  
dmaurer@pkh.com;lrynard@pkh.com;mgutshall@pkh.com

Office of the United States Trustee

ustpreion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteedpa.com

S. James Wallace

on behalf of Creditor Peoples Natural Gas Company LLC ccfpeoples@grblaw.com Equitablebankruptcy@peoples-gas.com

TOTAL: 11